

## #D-110 LOT LINE ADJUSTMENTS

### SUPPLEMENTAL STAFF REPORT

**SUMMARY:** This Supplemental Staff Report provides responses to issues that were raised at a Planning Commission meeting regarding amendments to the Renton Municipal Code Development Regulations (Title IV). It also includes additional information that staff has identified as being necessary to include in the analysis for amendments.

#### **General Description**

A lot line adjustment is the alteration of common lot line(s) between abutting legal lots, tracts, or parcels for the purpose of accommodating a transfer of land, rectifying a disputed property line location, or freeing such a boundary from any difference or discrepancies. Lot line adjustments have been used as a means to circumvent some development standards (e.g., frontage improvements) by reducing the amount of linear street frontage of adjacent development, which is not the purpose for allowing the adjustment. The proposed amendments are intended to prevent the reconfiguration of lot lines for the purpose of avoiding the installation of improvements that would otherwise be required if the lot line adjustment had not occurred. Eliminating the "loophole" ensures that developers will be responsible for installing elements such as curb, landscaping, and sidewalk that directly serves their project, the surrounding neighborhood, and also contributes to the transportation system. In addition to adding language to RMC that allows the Department of Community and Economic Development to require the installation of infrastructure when a lot line adjustment would otherwise serve to circumvent the improvements, a maximum lot depth to width ratio is proposed; there have been some lot line adjustments that created excessively narrow or wide lots to decrease the amount of street frontage of adjacent development. The addition of this provision would not only prevent such lot manipulation for the purpose of reducing frontage improvements, but it will also ensure that lot line adjustments and future land divisions create lots that have proportionate dimensions.

**Planning Commission Issue:** None, this was continued interdepartmental work to update the code.

**Staff Response:** Upon further discussion, staff was concerned that the "non-evasive" provisions originally proposed might be ineffective in some circumstances. Therefore, staff is proposing that property which is enlarged as a result of a lot line adjustment shall not be eligible for subdivision for a period of five years. This provision, which is similar to a King County provision, will likely be enough of a disincentive to not utilize lot line adjustments for the purpose of circumventing frontage improvements.

The proposed revisions have resulted in the following language:

**4. Non-Evasive:** Lot line adjustments shall not serve to eliminate or circumvent requirements such as frontage improvements, payment of fee-in-lieu, payment of latecomer fees or the installation of required infrastructure.

- a. Assessment of fees, right-of-way dedication and frontage improvements for the entire length of the property line(s) bordering rights-of-way may be required as a condition of Lot Line Adjustment approval.
- b. Lots that are increased in area by Lot Line Adjustments shall not be permitted to be subdivided for a time period of five years following the date upon which the Lot Line Adjustment is recorded or three years following the approval of a Lot Line Adjustment, whichever is longer; unless the following is met:
  - i. The subdivision application includes all lots involved in the lot line adjustment in the overall subdivision; or
  - ii. All required infrastructure, including but not limited to frontage improvements and utility lines are constructed along the frontage of all lots included in the Lot Line Adjustment.

#### **Impact Analysis**

##### Effect on rate of growth, development, and conversion of land as envisioned in the Plan

The proposed amendment will likely have no affect on the rate of growth, development, or the conversion of land.

##### Effect on the City's capacity to provide adequate public facilities

The proposed amendments are intended to ensure that developers install public infrastructure that serves their project as well as the general public. The installation of public infrastructure in conjunction with new development often extends or connects elements such as sidewalk and bolsters the City's network of complete streets; by utilizing lot line adjustments to limit their responsibility for such infrastructure, developers are passing the expense onto the general public. Closing this "loophole" will increase the City's capacity to provide adequate public facilities by reserving funds for public projects that are not created out of necessity due to developers utilizing lot line adjustments to not make improvements that serve their developments.

##### Effect on the rate of population and employment growth

Not applicable

##### Whether Plan objectives are being met as specified or remain valid and desirable

The proposal validates two objectives of the Comprehensive Plan:

Objective CD-O: Promote development of attractive, walkable neighborhoods and shopping areas by ensuring that streets are safe, convenient, and pleasant for pedestrians.

Objective CD-P: Develop a system of residential streets, sidewalks, and alleys that serve both vehicles and pedestrians.

Effect on general land values or housing costs

Not applicable

Whether capital improvements or expenditures are being made or completed as expected

Not applicable

Consistency with GMA, the Plan, and Countywide Planning Policies

This proposal is consistent with the GMA, specifically Goal 12 (Public Facilities and Services): [to] ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

It is also consistent with the Countywide Planning Policies for Urban Areas, specifically:

T-12 Address the needs of non-driving populations in the development and management of local and regional transportation systems.

DP-44 Adoption of design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.

The proposal is also consistent with the Renton Comprehensive Plan, specifically:

Policy T-4. Adequate transportation facilities and services should be in place at the time of occupancy or an adopted strategy must be in place to provide those facilities within six years of the approval of new development.

Policy T-9. Streets and pedestrian paths in residential neighborhoods should be arranged as an interconnecting network that serves local traffic and facilitates pedestrian circulation.

Policy T-47. Pedestrian and bicycle traffic should be accommodated within all areas of the City.

Policy CD-12. Sidewalks or walking paths should be provided along streets in established neighborhoods, where sidewalks have not been previously constructed. Sidewalk width should be ample to safely and comfortably accommodate pedestrian traffic and, where practical, match existing sidewalks.

Effect on critical areas and natural resource lands

Not applicable

Effect on other considerations

None

**Staff Recommendation**

Amend the "Detailed Procedures for Lot Line Adjustments" in RMC 4-7-060 to allow the Department of Community and Economic Development to require frontage improvements for Lot Line Adjustments. Amend the definition of "Lot Line Adjustment" in RMC 4-11-120L to be more accurate. Also, amend "Residential Lots - General Requirements and Minimum Standards" in RMC 4-7-170E to establish a maximum lot dimension ratio that will ensure lots have proportionate dimensions.

**Implementation Requirements**

Adopt an ordinance amending the "Detailed Procedures for Lot Line Adjustments" in RMC 4-7-060, the definition of "Lot Line Adjustment" in RMC 4-11-120L, and "Residential Lots - General Requirements and Minimum Standards" in RMC 4-7-170E.

**4-2-110A DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DESIGNATIONS (PRIMARY AND ATTACHED ACCESSORY STRUCTURES)**

**DENSITY**

**Minimum Net Density (for proposed short plats or subdivisions)<sup>1, 15</sup>**

RC, R-1, and R-4	none
R-8	4 dwelling units per net acre.
R-10	<b>For parcels over 1/2 gross acre:</b> 4 dwelling units per net acre <sup>30</sup>
R-14	10 dwelling units per net acre <sup>30</sup>
RM	<b>For any subdivision, and/or development:</b> <sup>30</sup> <b>“U” suffix:</b> 25 dwelling units per net acre. <b>“T” suffix:</b> 14 dwelling units per net acre. <b>“F” suffix:</b> 10 dwelling units per net acre.

**Maximum Net Density<sup>2, 14, 15</sup>**

RC	1 dwelling unit per 10 net acres.
R-1	1 dwelling unit per 1 net acre, except that in designated Urban Separators density of up to 1 unit per gross acre may be permitted subject to conditions in <a href="#">RMC 4-3-110</a> , Urban Separator Overlay Regulations. <b>Assisted living bonus:</b> A maximum density of 18 units/acre may be allowed subject to conditions of <a href="#">RMC 4-9-065</a> , Density Bonus Review.
R-4	4 dwelling units per 1 net acre.
R-8	8 dwelling units per 1 net acre, except that the maximum shall be 6.00 dwelling units per net acre when alleys are considered practical, as specified in <a href="#">RMC 4-7-150.E.5</a> , and are not part of the street

		configuration.
R-10		10 dwelling units per net acre. <b>Assisted living bonus:</b> A maximum density of 18 units/acre, for assisted living, may be allowed subject to conditions of RMC <a href="#">4-9-065</a> , Density Bonus Review.
R-14		14 dwelling units per net acre, except that density of up to 18 dwelling units per acre may be permitted subject to conditions in RMC <a href="#">4-9-065</a> , Density Bonus Review. <b>Assisted living bonus:</b> A maximum density of 18 units/acre, for assisted living, may be allowed subject to conditions of RMC <a href="#">4-9-065</a> , Density Bonus Review. <b>Affordable housing bonus:</b> Up to 30 dwelling units per net acre may be permitted on parcels a minimum of two acres in size if 50% or more of the proposed dwelling units are affordable to low income households with incomes at or below 50% of the area median income.
RM		<b>“U” suffix:</b> 75 dwelling units per net acre. <sup>26</sup> <b>“T” suffix:</b> 35 dwelling units per net acre. <b>“F” suffix:</b> 20 dwelling units per net acre. <sup>32</sup> <b>Assisted living bonus:</b> 1.5 times the maximum density may be allowed subject to conditions of RMC <a href="#">4-9-065</a> , Density Bonus Review.
<b>NUMBER OF DWELLING UNITS PER LOT</b>		
<b>Maximum Number per Legal Lot<sup>2</sup></b>		
	RC, R-1, R-4, and R-8	1 dwelling with 1 accessory dwelling unit. <sup>7</sup>

R-10 and R-14	<b>Detached single family dwellings:</b> 1 dwelling with 1 accessory dwelling unit. <b>Attached dwellings:</b> n/a
RM	n/a

**LOT DIMENSIONS<sup>31</sup> (for proposed plats and line adjustments)**

**Minimum Lot Size**

RC <sup>28</sup>	10 acres
R-1 <sup>28</sup>	1 acre, except 10,000 sq. ft. for cluster development. <sup>3</sup>
R-4 <sup>28</sup>	8,000 sq. ft. <sup>11</sup> , except for small lot cluster development <sup>10</sup> , where R-8 standards shall apply.
R-8 <sup>28</sup>	4,500 sq. ft. for parcels greater than 1 acre. 5,000 sq. ft. for parcels 1 acre or less.
R-10 and R-14 <sup>29</sup>	No minimum lot size. However, developments of greater than 9 single family dwellings shall incorporate a variety of home sizes, lot sizes, and unit clusters.
RM	n/a

**Minimum Lot Width – see 4-7-170(E)**

RC	150 ft. for interior lots. 175 ft. for corner lots.
R-1	75 ft. for interior lots. 85 ft. for corner lots. Except for cluster development, where R-4 standards shall apply.
R-4	70 ft. for interior lots. 80 ft. for corner lots. <sup>11</sup> Except for small lot

		cluster development <sup>10</sup> , where R-8 standards shall apply.
R-8		50 ft. for interior lots. 60 ft. for corner lots.
R-10 and R-14		No minimum lot width.
RM		<b>“T” suffix:</b> 14 ft. <b>All other suffixes:</b> 50 ft.

**Minimum Lot Depth – see 4-7-170(E)**

RC		200 ft.
R-1		85 ft., except for cluster development, where R-4 standards shall apply. <sup>3</sup>
R-4		80 ft. <sup>11</sup> , except for small lot cluster development <sup>10</sup> , where R-8 standards shall apply.
R-8		65 ft.
R-10 and R-14		No minimum lot depth.
RM <sup>29</sup>		65 ft.

**Lot Configuration**

R-8, R-10, and R-14		See RMC <a href="#">4-2-115</a>
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## 4-7-060 DETAILED PROCEDURES FOR LOT LINE ADJUSTMENTS:

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### A. PURPOSE:

The ~~purpose of a~~ lot line adjustment is to accommodate a transfer of land between abutting legally created lots for the purpose of rectifying a disputed property line location, improving lot design or access, attaining compliance with Title IV, or freeing such a boundary from any difference or discrepancies, provided no additional lot, parcel or tracts are created. (Ord. 5676, 12-3-2012)

### B. PRINCIPLES OF ACCEPTABILITY:

A lot line adjustment shall be consistent with the following principles of acceptability:

**1. Correcting:** Adjust lot lines including the elimination of a common lot line in order to correct property line or setback encroachments;

**2. Improving:** Create better lot design, or improve access;

#### **3. ~~Conforming~~ Approval Criteria:**

- a. An additional lot shall not be created; and
- b. The subject lots are within the same zoning district; and
- c. The proposed adjustments shall not cause the lots to increase the nonconformity with respect ~~Conform~~ to A-applicable Zoning-~~S~~(see Chapter 4-2 of RMC), subdivision and other code requirements pertaining to lot design, building location, and development standards; and
- d. The adjusted lot line(s) is shared by the subject lots.

**4. Non-Evasive:** Lot line adjustments shall not serve to eliminate or circumvent requirements such as frontage improvements, payment of fee-in-lieu, payment of latecomer fees or the installation of required infrastructure.

- a. Assessment of fees, right-of-way dedication and frontage improvements for the entire length of the property line(s) bordering rights-of-way may be required as a condition of Lot Line Adjustment approval.
- b. Lots that are increased in area by Lot Line Adjustments shall not be permitted to be subdivided for a time period of five years following the date upon which the Lot Line Adjustment is recorded or three years following the approval of a Lot Line Adjustment, whichever is longer; unless the following is met:
  - i. The subdivision application includes all lots involved in the lot line adjustment in the overall subdivision; or
  - ii. All required infrastructure, including but not limited to frontage improvements and utility lines are constructed along the frontage of all lots included in the Lot Line Adjustment.

### C. SUBMITTAL REQUIREMENTS FOR LOT LINE ADJUSTMENTS:

Shall be as stipulated in RMC [4-8-120](#).

### D. FEES:

Shall be as stipulated in RMC [4-1-170](#).

### E. ADMINISTRATIVE REVIEW:

**1. Review Time:** The Administrator will review and take action on the proposed lot line adjustment within thirty (30) working days of receiving a completed application.

**2. Action:** The Administrator may approve, request corrections by the applicant, approve with modifications, or deny the application for a lot line adjustment.

**3. Approval:** If approved, the lot line adjustment mylar map shall be signed and dated by the Administrator. The applicant shall be notified in writing of the decision. The signed mylar map shall be filed with the King County Department of Records and Elections.

**4. Approval with Modification(s):** If modification(s) are deemed necessary by the Administrator, they may be added to the original lot line adjustment map or a revised map may be required. The applicant will be notified of any such modification action. If a modification of the original lot line adjustment map, legal description or other information is necessary, the projected approval date may be extended.

**5. Denial:** If denied, the lot line adjustment shall be marked "Denied" and the applicant shall be notified in writing of the decision, stating the reasons therefor.

**F. FINAL RECORDING:**

The lot line adjustment does not become effective until it is recorded with the King County Department of Records and Elections. After two (2) copies of the signed mylar [map](#) are made for City records, the mylar [map](#) shall be sent to the City Clerk's office for recording. It is the responsibility of the City Clerk to record the approved map and new legal descriptions. A copy of the recorded documents shall be provided to the applicant by the Department of Community and Economic Development. (Ord. 5450, 3-2-2009)